

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,

Plaintiff,

v.

\$102,461 IN UNITED STATES  
CURRENCY,

Defendant *In Rem*.

No.:

**VERIFIED COMPLAINT  
FOR FORFEITURE *IN REM***

The United States of America brings this Verified Complaint for Forfeiture *In Rem* under Supplemental Rule G(2) of the Federal Rules of Civil Procedure, Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, and alleges as follows:

**NATURE OF THE ACTION**

1. This is a civil action *in rem* under 18 U.S.C. § 981(a)(1)(A) and (C) and 21 U.S.C. § 881(a)(6).

**JURISDICTION AND VENUE**

2. This Court has subject matter jurisdiction over an action commenced by the United States pursuant to 28 U.S.C. § 1345; over an action for forfeiture pursuant to 28 U.S.C. § 1355; and over this particular action pursuant to 18 U.S.C. § 981(a)(1)(A) and (C) and 21 U.S.C. § 881(a)(6).

3. Venue is proper in this district and the Court has *in rem* jurisdiction over the Defendant *In Rem* pursuant to 28 U.S.C. § 1355(b)(1)(A) because the acts and omissions giving rise to the forfeiture occurred in this district.

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**THE DEFENDANT *IN REM***

4. The Defendant *In Rem* is \$102,461 in United States currency seized on or around October 19, 2022.

5. The Defendant *In Rem* is within the possession, custody, or control of the United States.

**BASES FOR FORFEITURE**

6. The Defendant *In Rem* is subject to forfeiture under 18 U.S.C. § 981(a)(1)(A) because it is property, real or personal, involved in a transaction and attempted transaction in violation of 18 U.S.C. §§ 1956, 1957, and 1960, and any property traceable to such property.

7. The Defendant *In Rem* is also subject to forfeiture under 18 U.S.C. § 981(a)(1)(C) because it is any property, real or personal, which constitutes and is derived from proceeds traceable to any offense constituting “specified unlawful activity” (as defined in section [18 U.S.C. § 1956(c)(7)]), that is, (1) the felonious manufacture, importation, receiving, concealment, buying, selling, and otherwise dealing in a controlled substance or listed chemical (as defined in section 102 of the Controlled Substances Act), punishable under any law of the United States, and a conspiracy to commit such offense; and (2) violations of 1956, 1957, and 1960.

8. The Defendant *In Rem* is also subject to forfeiture under 21 U.S.C. § 881(a)(6) because it is moneys, negotiable instruments, securities, or other things of value furnished and intended to be furnished by any person in exchange for a controlled substance or listed chemical in violation of 21 U.S.C. § 801, *et seq.*, all proceeds traceable to such an exchange, and all

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moneys, negotiable instruments, and securities used or intended to be used to facilitate any violation of 21 U.S.C. § 801, *et seq.*

### **FACTS SUPPORTING FORFEITURE**

9. This Verified Complaint fully incorporates the facts contained in the attached Unsworn Declaration of Special Agent Gerardo Rivera of the Drug Enforcement Administration.

### **CLAIM FOR RELIEF**

The United States of America respectfully requests that the Court issue a warrant of arrest for the Defendant *In Rem*; that due notice be given to all parties to appear and show cause why the forfeiture should not be decreed; that the Court enter judgment declaring the Defendant *In Rem* condemned and forfeited to the United States of America for disposition according to law; and that the Court grant the United States of America such other and further relief as the Court may deem just and proper, together with the costs and disbursements of this action.

Respectfully submitted,

W. STEPHEN MULDROW  
United States Attorney

s/Daniel J. Olinghouse  
Daniel J. Olinghouse  
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**VERIFICATION**

I, Gerardo Rivera, depose and say that I am a U.S. Drug Enforcement Administration Special Agent and as such have responsibility for the within action, that I have read the contents of the foregoing Verified Complaint for Forfeiture *In Rem* and, pursuant to 28 U.S.C. § 1746, verify under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

Executed in San Juan, Puerto Rico,

this 2 ( day of March, 2023.

A handwritten signature in black ink, appearing to read 'GR', is written over a horizontal line.

Gerardo Rivera, Special Agent  
Drug Enforcement Administration